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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,585	06/05/2002	Masamichi Ando	P/1071-1556	6880

7590 10/03/2003

Edward A. Meilman
DICKSTEIN SHAPIRO MORIN & OSHINKSKY LLP
1177 Avenue of the Americas
41st Floor
New York, NY 10036-2714

EXAMINER

LAUTURE, JOSEPH J

ART UNIT	PAPER NUMBER
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2819

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,585

Applicant(s)

ANDO ET AL.

Examiner

Joseph Lauture

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,8 and 11 is/are rejected.
- 7) ☒ Claim(s) 2,3,5,7,9 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other:

DETAILED ACTION

Specification

The application has not been checked to the extent necessary to determine the presence of all possible typographical and grammatical errors. Applicant's cooperation is requested in correcting any errors of which he/she may become aware in the application.

The Information Disclosure Statements filed 04/03/02 have been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4,6,8 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the positions" in line 3. There is insufficient antecedent basis for this limitation in the claim.

In claim 6, the phrase "...screws which are not inside the concavities are disposed inside the cavity." is unclear since the concavities are in the sidewalls of the cavity, as indicated in the same claim. Clarification is required.

Claim 7 recites the limitation "filters" in line 2. There is insufficient antecedent basis for this limitation in the claim, since claim 7 only refers to "a filter".

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In claim 11, line 6, it is unclear what is meant by "screws are disposed inside the concavities and outside the cavity", since the concavities are formed in the sidewalls of the cavity, as indicated in the claim. Clarification is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (US 6,472,955).

Saito et al teach in figures 13 and 14 a dielectric resonator comprising a ceramic cavity having an open face and coated with a conductive film, the cavity containing a dielectric core (See column 1, lines 19-20) and a conductive panel (4) for covering the open face (See column 10, lines 18-19), wherein the conductive panel is fixed to the cavity and can be pressed thereto.

Saito et al do not specifically disclose a grounding plate in their resonator apparatus. However, the use of grounding in electronic circuits is well known. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include grounding in the circuit to establish a low impedance path between various points in the system and reduce electromagnetic interference that adversely influence system performance. It would have been further obvious to place

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such grounding in a position accessible to various circuit components to avoid duplicate components and reduce complexity.

Allowable Subject Matter

Claims 2-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

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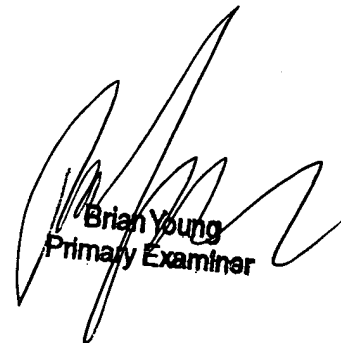
CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Lauture, whose telephone number is (703) 308-6362. The examiner can normally be reached Monday thru Friday between 9:30 am and 6:00 PM

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached at (703) 305-3493. The fax number for the organization to which this application is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-0956

Joseph Lauture
Group: 2819
Date: 09/17/2003



Brian Young
Primary Examiner